

ZONING AND ADJUSTMENT BOARD

October 17, 2005

The Zoning and Adjustment Board of Sumter County, Florida convened on Monday, October 17, 2005, at 6:50 P.M. with the following members present: Larry Story- Chairman, Ron Berry, Frank Szczepanski, Dossie Singleton, Marge Thies, and Dale Nichols. Richard Cole, Jr., Frank Topping, Rusty Mask, Evan Merritt, and James Sutton were absent. Terry Neal- Zoning and Adjustment Board Attorney, Sandy Cassels- Board Secretary, and Roberta Rogers- Director of Planning and Development, were present.

The Board members led everyone in the pledge of allegiance and prayer.

Mr. Story presented the proof of publication.

Ms. Thies made a motion to approve the minutes from the October 3, 2005 meeting with one (1) change. Case # R2005-0098 stated it was to be rezoned from C1 to CH, when the actual rezoning was C1 to CL. Mr. Berry seconded the motion with the change and the motion carried.

T2005-0040

James & Crystal Steedly

Mr. Nichols made a motion to remove this application from the table. Mr. Singleton seconded the motion and the motion carried.

Crystal Steedly, applicant, was present and requesting a Temporary Use Permit for three years for a care receiver's residence. There were four (4) notices sent. Of the four (4) notices sent, one (1) was returned in favor and none were returned in objection. There were no objections from the audience.

Mr. Nichols made the motion to recommend approval of the Temporary Use Permit for three (3) years based on the information provided in the staff report. Mr. Singleton seconded the motion and the motion carried.

T2005-0042

Olive Yarbrough

Reuben Lee, representative for the applicant, was present and requesting a Temporary Use Permit for three (3) years for a care giver's residence. There were four (4) notices sent. Of the four (4) notices sent, one (1) was returned in favor and none were returned in objection. There were no objections from the audience.

Mr. Nichols made the motion to recommend approval of the Temporary Use Permit for three (3) years based on the information provided in the staff report. Mr. Singleton seconded the motion and the motion carried.

SS2005-0015 & R2005-0104

George Shotwell

George Shotwell, applicant, and Steve Richey, attorney, were present and requesting a Small Scale Land Use Change on 9.99 acres MOL from Agricultural to Commercial, and a rezoning on the same 9.9 acres MOL from A1 to CP (Planned Commercial). There were five (5) notices sent. Of the five (5) notices sent, five (5) were returned in objection and none were returned in favor. There were no objections from the audience. Mrs. Rogers read the letters of objection into the record, with the exception of one (1) which had no owner's name or address. Mrs. Rogers explained Mr. Shotwell had filed a similar application earlier this year, which staff had not supported. The application was rescheduled so the applicant could re-file the accompanying rezoning application to CP (Planned Commercial). Mr. Richey explained this Small Scale Land Use Change will be 9.99 acres of 12.06 acres leaving 2.16 acres MOL unusable. The property would have a mechanic building, shop and office with 15 – 20 trucks leaving the area on a daily basis. The hours of operation would be from 7 am to 6 pm, Monday – Friday and 7 am to 1 pm on Saturday. The Planning Department continued in its recommendation against approval of the applications. Mr. Nichols questioned Mr. Shotwell about the location of his business currently. Mr. Shotwell informed him it is located in Ocala. Mr. Nichols stated he felt this would be spot zoning and could not recommend it.

Mr. Berry and Mr. Szczepanski explained they thought there was a foundation business located at the corner of US 301 and CR 104. Mrs. Rogers said she would have Code Enforcement check into this.

Mr. Nichols made the motion to recommend denial of the Small Scale Land Use Change on 9.99 acres MOL from Agricultural to Commercial to the Board of County Commissioners. Mr. Szczepanski seconded the motion and the motion carried.

Mr. Nichols made the motion to recommend denial of the rezoning from A1 to CP on 9.99 acres MOL to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Berry seconded the motion and the motion carried.

R2005-0101

Larry & David Wilson, ETAL

Larry & David Wilson, applicants, were present and requesting a rezoning on 20 acres MOL from A5 to RR5C. There were eight (8) notices sent. Of the eight (8) notices sent, one (1) was returned in favor and none were returned in objection. There were no objections from the audience.

Mr. Nichols made the motion to recommend approval of the rezoning from A5 to RR5C on 20 acres MOL to the Board of Sumter County Commissioners based on the information provided in the staff report. Ms. Thies seconded the motion and the motion carried.

R2005-0102

Sumpter Ventures, ETAL

Greg Beliveau, representative for the applicant, and Steve Richey, attorney, were present and requesting a rezoning of 44.96 acres MOL from A5 & a non-vested C2 to R4C. There were ten (10) notices sent. Of the ten (10) notices sent, one (1) was returned in favor and none were returned in objection. There were no objections from the audience. Mrs. Rogers explained there is a memorandum of agreement stating there will only be 3 units per acre. Mr. Beliveau explained Lady Lake will provide the utilities and road improvements will be made to CR 100. Ms. Thies stated she saw mistakes made in the application concerning the water district. The application stated the water district is in the St. Johns Water District when actually it is in the Southwest Florida Water Management District. Mr. Szczepanski questioned the type of homes to be placed on the property. Mr. Beliveau explained three will only be conventional homes constructed.

Mr. Nichols made the motion to recommend approval of the rezoning of 44.96 acres MOL from A5 & a non-vested C2 to R4C to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Szczepanski seconded the motion and the motion carried.

R2005-0103

Judith Uschold

Judith Uschold, applicant, was present and requesting rezoning of 6.9 acres MOL from RR5 to RR1 to complete a lineal transfer. Mr. Nichols questioned Mrs. Uschold regarding who was receiving the property. Mrs. Uschold explained she is deeding her daughter 2 acres. Mrs. Rogers asked Mrs. Uschold if she understood a part of her property is in the 100 year flood plain. Mrs. Uschold stated she understood this.

Mr. Nichols made the motion to recommend approval of the rezoning of 6.9 acres MOL from RR5 to RR1 to complete a lineal transfer to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Singleton seconded the motion and the motion carried.

CP-B205-0001

Maricamp, LLC – Bellwether Landing

Ms. Thies made a motion to remove this application from the table. Mr. Nichols seconded the motion and the application was removed from the table.

Greg Beliveau, representative for the applicant, and Steve Richey, attorney, were present and requesting a transmittal to the state agencies of a large Scale land use change on 65.71 acres MOL from Agricultural to High Density Residential. Mr. Beliveau explained this is near The Villages and there is considerable commercial zonings in the area. The utilities will be supplied by on site by the developer. Mr. Beliveau explained the request is for six (6) dwellings per acre. Mrs. Rogers explained the primary concern with this land use change would be the amount of traffic generated on County Roads 103 & 104. Mr. Richey explained the would show the final density and required road improvements on the plans. The density might be less than six (6) per acre because some land will have to be set aside for utilities. Ms. Thies asked if the City of Wildwood would provide water. Mr. Richey stated they would not. Mr. Szczepanski asked if

there is a definition of affordable housing. Mrs. Rogers explained we do have a definition of affordable housing as between \$105,000.00 and \$110,000.00.

Mr. Szczepanski made a motion to deny the request for transmittal to the Board of County Commissioners of the Large Scale Land Use Change. This motion died for lack of a second.

Mr. Nichols made a motion to approve transmittal to the Board of County Commissioners of the Large Scale Land Use Change. Mr. Berry seconded the motion. Roll call vote was taken five (5) votes in favor and one (1) vote against. Larry Story – aye, Ron Berry – aye, Dossie Singleton – aye, Marge Thies – aye, Frank Szczepanski – nay.

CP-B2005-0002

Acorn, LLC – River Walk

Ms. Thies made the motion to remove this application from the table. Mr. Berry seconded the motion and the motion carried.

Greg Beliveau, representative for the applicant and Steve Richey, attorney, were present and requesting a Large Scale Land Use Change on 188.93 acres MOL from Agricultural to Medium Density Residential. Mrs. Neal stated the correct authorization for Mr. Richey to represent the applicant had not been filed. Mr. Beliveau explained this land is contiguous to the Lake County Line therefore the City of Leesburg will supply water and sewer services to the property. Leesburg is proposing high density residential single family residences and commercial property adjacent to this land. Mrs. Rogers explained the application requests three (3) dwellings per acre. Mr. Beliveau explained C-470 would require improvements are to the increase in traffic on the Sumter County side and the Lake County side.

Mr. Nichols made the motion to approve transmittal to the Board of County Commissioners of the Large Scale Land Use Change. Mr. Singleton seconded the motion and the motion carried.

Mr. Nichols made a motion to adjourn the meeting at 7:50 pm. Ms. Thies seconded the motion and the motion carried.

Larry Story, Chairman
Zoning and Adjustment Board